

RENTON CITY COUNCIL
Regular Meeting

June 23, 2008
Monday, 7 p.m.

Council Chambers
Renton City Hall

MINUTES

CALL TO ORDER

Mayor Denis Law called the meeting of the Renton City Council to order and led the Pledge of Allegiance to the flag.

**ROLL CALL OF
COUNCILMEMBERS**

MARCIE PALMER, Council President; DON PERSSON; KING PARKER; TERRI BRIERE; RICH ZWICKER; GREG TAYLOR; RANDY CORMAN.

**CITY STAFF IN
ATTENDANCE**

DENIS LAW, Mayor; JAY COVINGTON, Chief Administrative Officer; LAWRENCE J. WARREN, City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Public Works Administrator; ALEX PIETSCH, Community and Economic Development Administrator; TERRY HIGASHIYAMA, Community Services Administrator; IWEN WANG, Finance and Information Services Administrator; SUZANNE DALE ESTEY, Economic Development Director; PREETI SHRIDHAR, Communications Director; MARK SANTOS-JOHNSON, Senior Economic Development Specialist; FIRE CHIEF/EMERGENCY SERVICES ADMINISTRATOR I. DAVID DANIELS and DEPUTY CHIEF/FIRE MARSHAL BILL FLORA, Fire Department; CHIEF KEVIN MILOSEVICH, Police Department.

**Added
PROCLAMATION**

Parks and Recreation Month -
July 2008

A proclamation was read by Mayor Law declaring the month of July 2008 to be "Parks and Recreation Month" in the City of Renton and encouraging all citizens to join in this special observance as recreation and parks programs enhance quality of life by contributing to a healthy lifestyle, promoting safety and security, building self esteem, teaching life skills, and providing places for enjoyment. MOVED BY PERSSON, SECONDED BY PALMER, COUNCIL CONCUR IN THE PROCLAMATION. CARRIED.

Community Services Administrator Higashiyama accepted the proclamation with appreciation. She noted that the Community Services Department is one of only two accredited departments in the state and encouraged citizens to utilize the available recreation programs and facilities.

SPECIAL PRESENTATION
Public Safety: Fireworks
Safety

Fire Chief/Emergency Services Administrator Daniels reported that the King County Fire Chiefs Association passed a resolution in support of public fireworks events and recommending that discharge of fireworks be left in the hands of professionals. He remarked that last year there were over 1,000 incidents of either injuries or fires and approximately \$21 million in damages caused by fireworks. Chief Daniels noted that out of the 325 incidents that occurred in King County, none had occurred in Renton.

Deputy Chief Flora presented a report outlining the purpose, educational outreach, and goals of the 2008 Fireworks Compliance Plan. He stated that the purpose of the City fireworks ban is to protect people and property from the dangers of fireworks. He remarked that from 1999 to 2004 approximately \$575,000 worth of property damage was reported to be directly attributable to fireworks. He noted that since 2005 only \$2,500 worth of property damage has been reported, which is a clear indication that the ban works.

Deputy Chief Flora commented on compliance efforts, stating that inspector teams and response operation crews will primarily operate in the Benson Hill Communities Annexation area. He acknowledged that illegal fireworks will be

confiscated, and police will issue citations if necessary.

Concluding, Deputy Chief Flora stated that the goals of the plan are to educate and explain the fireworks ban to citizens. He affirmed that voluntary compliance is very important and encouraged citizens to attend the City-sponsored event at Gene Coulon Memorial Beach Park.

Councilmember Taylor commended the Fire Department for reaching out to citizens and noted that citizens should call 911 if they hear fireworks in their neighborhood.

Councilmember Corman stated that the ordinance approving the fireworks ban was passed in 2005 and was challenged by an initiative to overturn the ban. He clarified that Renton voters had affirmed the ban.

PUBLIC HEARING
Planning: Multi-Family
Housing Property Tax
Exemption Modifications

This being the date set and proper notices having been posted and published in accordance with local and State laws; Mayor Law opened the public hearing to consider proposed modifications to the existing multi-family housing property tax exemptions.

Alex Pietsch, Economic Development Administrator, stated that Renton's property tax exemption incentive has been utilized by numerous multi-family projects. He stated that staff has been working on modifications this year to take advantage of an additional incentive for affordable housing put in place by the state legislature.

Senior Economic Development Specialist Mark Santos-Johnson stated that the tax exemption incentives were adopted in 2003 in three designated areas: South Lake Washington, the Highlands, and Downtown. He noted that these areas lacked sufficient available, desirable and convenient residential housing. Mr. Santos-Johnson stated that to be eligible, a project has to be located in one of the three designated targeted areas, be a new multi-family housing project with four or more units per building, and has to have a minimum of ten or thirty attached dwelling units, depending on the zoning.

Mr. Santos-Johnson explained that the tax exemption applies only to the building, not the land or appurtenances, and it applies to all local, county and state taxes, including taxing districts like hospitals. He stated that seven projects had been approved providing 1,602 affordable housing units. Mr. Santos-Johnson summarized the proposed modifications to the multi-family housing property tax exemption into four categories: modifications to the designated "residential targeted areas;" modifications to implement the provisions of House Bill 1910; modifications to incorporate affordable housing; and modifications to project eligibility requirements and fees.

Continuing, Mr. Santos-Johnson stated that proposed modifications to the designated "residential targeted areas" includes removing "South Lake Washington" as a residential targeted area, and modifying the "Highlands" residential targeted area to change the "R-10" zone to the "R-14" zone and revise the residential targeted areas map to reflect the expanded Center Village (CV) Comprehensive Plan designation area for the Highlands.

He reported that proposed modifications to implement the Engrossed Second Substitute House Bill 1910 adopted by the Washington State Legislature in 2007 and to incorporate affordable housing includes:

1. Changing the 10-year exemption for projects submitted on or after July 22, 2007, to an 8-year exemption, or a 12-year exemption if the project

provides at least 20% of the housing units as affordable rental or for-sale housing as follows:

- a. For rental projects, at least 20% of the units in the project must be affordable to low income households at 80% or less of median income.
 - b. For ownership projects, at least 20% of the units in the project must be affordable to moderate income households at 120% or less of median income.
2. Add definitions for “Affordable Housing”, “Household”, “Low income Household”, “Median Income Household”, and “Moderate Income Household”, and designate the residential targeted areas as “targeted for low-income housing serving households at or below 80% of median income.”
 3. Modify the application, final certificate, and annual certification material in order to administer the affordable housing element of the Exemption and comply with the additional reporting requirements included in House Bill 1910.

Concluding, Mr. Santos-Johnson reported that modifications to project eligibility and fees include increasing the minimum number of housing units for eligible projects in the Residential Multi-Family Urban Center (RM-U) zone from 10 to 30 units, omitting the Special Design Regulations now integrated into the Development Regulations for all eligible zones, increasing the project application, final certificate, and contract amendment fees, and adding a definition of “mixed-use” for Exemption projects to further refine eligibility.

Public Comment was invited.

David Halinen (Fircrest) stated that he is the attorney for AnMarCo, owner of the old Stoneway site located along the SE Maple Valley Hwy (SR 169). He expressed support for the modifications and submitted a letter via the City Clerk requesting that the Stoneway site and adjacent properties be added to the “residential targeted areas” list.

Council discussion ensued regarding the opportunities available to develop the site, adding the site as a future work program, consideration of the currently proposed modifications, the impact of implementing measures to comply with House Bill 1910, and moving the currently proposed modifications forward.

Garrett Huffman (Bellevue), President, Master Builders Association, stated that his membership generally supports the modifications and would like to see the South Lake Washington area remain a “residential targeted area.” He also noted that any fee increases would be passed on to customers.

Councilmember Parker remarked that the tax exemption is a strong incentive that would help the City meet density issues needed to comply with the Growth Management Act. He also opined that the incentives would stimulate economic development and that the fees were fair and just.

Dorothy Lengyel (Bellevue), representing Downtown Action to Save Housing (DASH), voiced support for the proposed modifications. She noted that providing housing close to transit hubs is critical during rough economic times.

Greg James (Sammamish) expressed support for the proposed addition of the Stoneway site and adjacent properties to the “residential targeted areas” list.

Robert O'Wiley (Burien) stated that he supports the proposed modifications and expressed pleasure with the ease of dealing with City officials and staff while working on local projects.

Councilmember Corman remarked that the exemption is targeted for areas already zoned for multi-family, and it is an incentive to get developers to build multi-family housing projects in specific areas. He commented that the exemption is not being used in areas that are already developed.

There being no further public comment, it was **MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.**

MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL REFER MR. HALINEN'S LETTER TO THE PLANNING & DEVELOPMENT COMMITTEE. CARRIED. (See page 216 for further discussion regarding this matter.)

AUDIENCE COMMENT

Citizen Comment: Johnson -
Sound Transit & Bus Service

Arland "Buzz" Johnson (Renton) requested that Council recommend to Sound Transit that they increase the frequency of the 101 buses from 30 minutes to 20 minutes during off peak times. Mr. Johnson also inquired about bus lanes on side streets.

Chief Administrative Officer Covington responded that bus lanes had traffic signal priority and that the City would welcome more bus traffic in Renton.

Citizen Comment: Davis -
Excessive Helicopter Noise

Dina Davis (Renton), Renton Hill representative to the Airport Advisory Committee, reported excessive levels of helicopter noise late at night and at early morning hours emanating from the Renton Airport due to graduation ride events. She requested that the City adopt an Airport "quite time" and consider the amount of complaints a tenant receives when negotiating lease renewals.

Mayor Law agreed that the noise was excessive and stated that he will be meeting with the owners to emphasize the importance of being good neighbors. He also responded that the FAA allows the flights and the City has little recourse.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing. At the request of Councilmember Zwicker, item 7.i. was removed for separate consideration.

Council Meeting Minutes of
6/16/2008

Approval of Council meeting minutes of 6/16/2008. Council concur.

Finance: Bad Debt Write Off

Finance and Information Services Department requested approval to write off bad debt in the total amount of \$41,462.21. Refer to Finance Committee.

Finance: Business License
Fees & Revocation Revisions

Finance and Information Services Department recommended approval of proposed changes to the collection of business license fees and revocation of licenses. Refer to Finance Committee.

Transportation: Duvall Ave
NE Reconstruction Utility
Conversion, Qwest

Transportation Systems Division recommended approval of a construction agreement with Qwest resulting in the reimbursement of \$100,428 for underground utility conversion as part of the Duvall Ave. NE Widening/Coal Creek Parkway SE Reconstruction project. Refer to Transportation (Aviation) Committee.

CAG: 07-130, Commute Trip Reduction Program Grant, WSDOT	Transportation Systems Division recommended approval of an addendum to CAG-07-130, agreement with Washington State Department of Transportation, to accept funds in the amount of \$44,355.10 for the 2008-2009 Commute Trip Reduction program. Council concur.
CAG: 05-120, SW 27th St./Strander Blvd Connection, Gary Merlino Const Co	Transportation Systems Division submitted CAG-05-120, SW 27th St./Strander Blvd. Connection Project Phase I, Segment I; and requested approval of the project, authorization for final pay estimate in the amount of \$8,000, commencement of 60-day lien period, and release of retained amount of \$116,120.03 to Gary Merlino Construction Co., contractor, if all required releases are obtained. Council concur.
Transportation: 2009-2014 TIP	Transportation Systems Division submitted the annual update of the Six-Year Transportation Improvement Program (TIP) and Arterial Street Plan. Refer to <u>Transportation (Aviation) Committee</u> ; set public hearing on 7/14/2008 to consider the TIP.
CAG: 91-083, Boundary Agreement, Soos Creek Water & Sewer District	Utilities Systems Division recommended approval of an addendum to CAG-91-083, boundary agreement with Soos Creek Water and Sewer District, to adjust the existing boundary and allow connection to the City's system in exchange for a portion of the District's funds. Refer to <u>Utilities Committee</u> .
CAG: 07-160, Duvall Av NE Water & Sanitary Sewer Main Installation, Shoreline Construction	Utilities Systems Division submitted CAG-07-160, Duvall Ave. NE Water and Sanitary Sewer Main Installation; and requested approval of the project, authorization for final pay estimate in the amount of \$23,275.22, commencement of 60-day lien period, and release of retained amount of \$44,086.69 to Shoreline Construction Co., if all required releases are obtained. Council concur.
	MOVED BY PALMER, SECONDED BY CORMAN, COUNCIL APPROVE THE CONSENT AGENDA AS AMENDED TO REMOVE ITEM 7.i. FOR SEPARATE CONSIDERATION. CARRIED.
<u>Separate Consideration Item 7.i.</u> Utility: Surface Water Billing Adjustments, Benson Hill Communities Annexation Area	Utilities Systems Division recommended approval of surface water utility billing adjustments for non-profit organizations in the Benson Hill Communities Annexation area at the King County rate for 2008, and at the City rate starting in 2009. Refer to <u>Utilities Committee</u>. MOVED BY ZWICKER, SECONDED BY PERSSON, COUNCIL REFER CONSENT AGENDA ITEM 7.i. TO THE <u>FINANCE COMMITTEE</u> . CARRIED.
<u>UNFINISHED BUSINESS Finance Committee</u> Vouchers	Finance Committee Chair Persson presented a report recommending approval of Claim Vouchers 273226 - 273759 and two wire transfers totaling \$3,141,574.84; and approval of 248 Payroll Vouchers, one wire transfer, and 783 direct deposits totaling \$2,619,676.74. MOVED BY PERSSON, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.
CAG: 08-059, Thomas Teasdale Park Playfield & Irrigation Improvements, Spiritridge Construction	Finance Committee Chair Persson presented a report recommending concurrence in the staff recommendation to award the bid, including one additive alternate, to Spiritridge Construction, Inc. in the amount of \$264,664.30 to install a new irrigation system, supplemental storm drainage, and replace the infield soil mix. The Committee also recommended concurrence in the staff recommendation to authorize \$40,000 from the 2008

Parks Major Maintenance Fund (316). The Committee further recommended that the Mayor and City Clerk be authorized to execute the agreement for construction services. MOVED BY PERSSON, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Budget: New Administrative Assistant Position, Human Resources

Finance Committee Chair Persson presented a report recommending concurrence with the staff recommendation to amend the 2008 Budget by adding one full-time Administrative Assistant position, grade n14, in the Human Resources and Risk Management Department. Additional funds to implement this recommendation are not required as the Department has sufficient salary savings to fund the position for the remainder of the year. The Committee further recommended that the ordinance regarding this matter be presented for first reading. MOVED BY PERSSON, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 215 for ordinance.)

Community Services: Ron Regis Park, Washington Wildlife Recreation Program Grant

Finance Committee Chair Persson presented a report recommending concurrence in the staff recommendation to authorize the resolution for the City of Renton to apply for funding assistance for \$500,000 in matching funds from the Washington Wildlife Recreation Program (WWRP). Funding assistance will be utilized for capital improvements to Ron Regis Park. Improvements include converting one all-weather lighted soccer field to synthetic turf, constructing one new lighted synthetic turf soccer field, restrooms, playground, picnic shelter, additional parking, and potable water. Funding would be derived from the 316 Capital Improvement Fund, the 303 Parks Impact Fee Fund, and the King County Youth Sports Facility Grant.

The Finance Committee also recommended that the resolution authorizing application for funding assistance be presented for reading and adoption. MOVED BY PERSSON, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 215 for resolution.)

Planning & Development Committee

Planning: Windsor Hills Neighborhood, Construction and Height Limitations

Planning & Development Committee Chair Parker presented a report regarding construction and height limitations in the Windsor Hills neighborhood. The Committee reviewed zoning text amendment proposals filed for the 2008 docket by Robert Walker. These proposed amendments requested implementation of a 30 day notice of proposed land use action, a revision to standards in the R-8 zone to restrict replacement homes to 150% of the original size with a roof line no taller than the original roof line, revision to grading and height regulations, and revision to the R-8 zone to implement view protection provisions.

The Committee also reviewed a request for a temporary moratorium on new construction in Windsor Hills and Windsor Hills Addition to allow time to implement these zoning requests. The Committee reviewed adopted Comprehensive Plan policies for Residential Single Family Land Use and Community Design Policies addressing the residential infill development and reinvestment in existing neighborhoods, and reviewed a summary of existing R-8 Code requirements. The Committee determined that the existing regulations implement and are consistent with adopted policies. The Committee recommended that these docket work program items not be undertaken by the City at this time.

The Committee further recommended that the issue of development standards in single-family neighborhoods be addressed in the future community planning initiative. The Committee requested that a visioning process be conducted to

begin a community dialogue about a broad range of community planning issues important to neighborhoods. **MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

Planning: Development
Regulations (Title IV) Docket
Review

Planning and Development Committee Chair Parker presented a report recommending concurrence in the staff recommendation to approve the following docket items as recommended by the Planning Commission: Alleys in the R-8 zone. Proposed changes include implementing parking and loading standards for properties abutting an existing paved and/or crushed rock alley. New development would be required to locate parking and/or garages in the side or rear yards with vehicular access to the parking areas through the abutting alley.*

Councilmember Parker reported that Committee members toured City alleys and commented that it was an exciting and educational opportunity for them.

***MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

Public Safety Committee
Fire: 2006 International Fire
Code Adoption

Public Safety Committee Chair Taylor presented a report recommending concurrence in the staff recommendation to adopt the proposed Fire Code with local amendments and adoption of the related ordinance for the purpose of bringing the City into line with nine Eastside Zone I Fire Marshal jurisdictions and Zone 3 Fire Marshals. The committee further recommended that the ordinance regarding this matter be prepared for reading and adoption. **MOVED BY TAYLOR, SECONDED BY PERSSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

RESOLUTIONS AND ORDINANCES

Resolution #3953
Community Services: Ron
Regis Park, Washington
Wildlife Recreation Program
Grant

A resolution was read authorizing application for funding assistance for a Washington Wildlife Recreation Program (WWRP) project to the Recreation and Conservation Office (RCO) as provided in Chapter 79A.15 RCW, Acquisition of Habitat Conservation and Outdoor Recreation Lands (Ron Regis Park, Phase II Capital Improvement Project). **MOVED BY BRIERE, SECONDED BY PERSSON, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.**

The following ordinance was presented for first reading and referred to the Council meeting of 7/7/2008 for second and final reading:

Budget: New Administrative
Assistant Position, Human
Resources

An ordinance was read amending the 2008 Budget by adding the position of Human Resources Administrative Assistant to the 2008 Budget index of positions. **MOVED BY PERSSON, SECONDED BY BRIERE, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 7/7/2008.**

The following ordinances were presented for second and final reading and adoption:

ORDINANCE #5392
Planning: Development
Regulations (Title IV) 2006
Docket Review

An ordinance was read amending Chapter 2, Zoning Districts - Uses and Standards; and Chapter 11, Definitions, of Title IV (Development Regulations) of City Code to amend the regulations regarding fast food restaurants and office and conference uses; and adding a definition of fast food restaurant and

amending the definition of drive-in/drive-through retail or service.

MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL. ALL AYES. CARRIED.

ORDINANCE #5393

Rezone: Hudson Annexation
Property, R-10 to CN

An ordinance was read changing the zoning classification of certain property (formerly the Hudson Annexation area) within the City of Renton from Residential Ten Dwelling Units per acre (R-10) to Commercial Neighborhood (CN). MOVED BY PERSSON, SECONDED BY ZWICKER, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL. ALL AYES. CARRIED.

ORDINANCE #5394

Rezone: Hudson Annexation
Property, R-10 to R-14

An ordinance was read changing the zoning classification of certain property (formerly the Hudson Annexation area) within the City of Renton from Residential Ten Dwelling Units per acre (R-10) to Residential Fourteen Dwelling Units per acre (R-14). MOVED BY PERSSON, SECONDED BY ZWICKER, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL. ALL AYES. CARRIED.

ORDINANCE #5395

Rezone: Hudson Annexation
Property, R-8 to R-14

An ordinance was read changing the zoning classification of certain property (formerly the Hudson Annexation area) within the City of Renton from Residential Eight Dwelling Units per acre (R-8) to Residential Fourteen Dwelling Units per acre (R-14). MOVED BY PERSSON, SECONDED BY ZWICKER, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL. ALL AYES. CARRIED.

ORDINANCE #5396

Rezone: Hudson Annexation
Property, R-8 to R-10

An ordinance was read changing the zoning classification of certain property (formerly the Hudson Annexation area) within the City of Renton from Residential Eight Dwelling Units per acre (R-8) to Residential Ten Dwelling Units per acre (R-10). MOVED BY PERSSON, SECONDED BY ZWICKER, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL. ALL AYES. CARRIED.

ORDINANCE #5397

Rezone: Hudson Annexation
Property, R-8 to CN

An ordinance was read changing the zoning classification of certain property (formerly the Hudson Annexation area) within the City of Renton from Residential Eight Dwelling Units per acre (R-8) to Commercial Neighborhood (CN). MOVED BY PERSSON, SECONDED BY ZWICKER, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL. ALL AYES. CARRIED.

AUDIENCE COMMENT

Citizen Comment: Paholke -
Multi-Family Housing
Property Tax Exemption
Modifications

Diane Paholke (Renton) asked if the old Stoneway site and adjacent area had been added as a "designated targeted area" to the multi-family housing property tax exemption list and requested that adequate studies be done prior to redeveloping the area.

Council discussion ensued regarding the old Stoneway site, the need to analyze the situation, the potential impacts to traffic and schools any new development would have, the idea of redeveloping areas closer in to the City, the topics considered during the public hearing, and the incentives the tax exemption could provide.

Annexation: Benson Hill
Communities

Mayor Law thanked staff for a job well done at the Benson Hill Communities Annexation area picnic held at Cascade Elementary School on Saturday, June 21.

ADJOURNMENT

MOVED BY PERSSON, SECONDED BY CORMAN, COUNCIL ADJOURN.
CARRIED. Time: 8:26 p.m.

Bonnie I. Walton, CMC, City Clerk

Recorder: Jason Seth
June 23, 2008